In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.W.P.No. 16064 of 2006
Decided on: Oct 10,2006

Dimple Rani --Petitioner

vs.

The State of Haryana and others --Respondents

Coram: Hon'ble Mr.Justice Jasbir Singh
Hon'ble Mr.Justice Pritam Pal

Present: Mr. Jagdish Manchanda,Advocate, for the petitioner.

Jasbir Singh,J:(Oral)

This writ petition has been filed with a prayer to quash letter dated June 24,2005 (Annexure P5), vide which notice was issued to elect President and Vice President of Municipal Council, Karnal on June 29,2005. Further, prayer is to quash election of President and Vice President, who were elected vide resolution Annexure P-6 on the above said date.

It is case of the petitioner that election in Ward from which petitioner was contesting, was also to be conducted along-with others on April 16,2005. However, State Election Commission vide order dated April 15,2004, cancelled election programme in respect of seven Wards of Municipal Council, Karnal. Thereafter, election was conducted and as many as, 24 councillors were elected on April 16,2005. Thereafter, under orders of this Court, election was conducted in the above-mentioned

five Wards and petitioner was elected on October 04,2006. Counsel states that as the election to the post of President and Vice President was conducted in the absence of at least 5 members of the Council, so it cannot be said to be a valid election. This Court feels that contention of counsel for the petitioner is liable to be rejected. After election of 24 members, Municipal Council was constituted by issuing a notification and , thereafter, President and Vice President were elected as per rules. Counsel for the petitioner has failed to cite any provisions of law to show that under these circumsrtances, election earlier conducted can be set aside and fresh election can be ordered. No case is made out for interference.

Writ Petition is dismissed.

(Jasbir Singh)
Judge

October 10,2006 (Pritam Pal)
RR Judge